# Daily Digest

#### HIGHLIGHTS

Senate passed District of Columbia Appropriations Act.House committees ordered reported 11 sundry measures.The House passed H.R. 3167, Gerald B.H. Solomon Freedom Consolidation Act.

## Senate

### Chamber Action

Routine Proceedings, pages \$11505-\$11566

**Measures Introduced:** Ten bills were introduced, as follows: S. 1643–1652. **Pages S11548–49** 

#### Measures Reported:

S. 942, to authorize the supplemental grant for population increases in certain states under the temporary assistance to needy families program for fiscal year 2002, with an amendment in the nature of asubstitute. (S. Rept. No. 107–94)

Page S11548

#### Measures Passed:

District of Columbia Appropriations Act: By 75 yeas to 24 nays (Vote No. 331), Senate passed H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, after taking action on the following amendments proposed thereto:

Pages S11505-44

Adopted:

Landrieu/DeWine Amendment No. 2109, making certain technical corrections. Page \$11507

By 51 yeas to 49 nays (Vote No. 329), Hutchison/ Sessions Amendment No. 2110, to cap the allowable fees an attorney may charge when challenging special education placement in the District of Columbia.

Pages S11515-29

By 73 yeas to 26 nays (Vote No. 330), Durbin/Boxer Amendment No. 2111, to provide for certain exceptions to the limitations on fees an attorney may charge when challenging special education placement in the District of Columbia.

Pages S11529-31

Dorgan Amendment No. 2112, to provide for mandatory advanced electronic information for air cargo and passengers entering the United States.

Pages S11531-32

Landrieu/DeWine Amendment No. 2113, to direct the General Accounting Office to provide a report detailing the awards in judgement rendered that were in excess of the caps on the allowable fees an attorney may charge when challenging special education placement in the District of Columbia.

Page S11532

Rejected:

Allen Amendment No. 2107, to prohibit the use of local funds to carry out needle exchange programs in the District of Columbia. (By 53 yeas to 47nays (Vote No. 328), Senate tabled the amendment.)

Pages S11507-15

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Landrieu, Durbin, Reed, Inouye, DeWine, Hutchison, and Stevens.

Page S11544

Aviation Security Bill: Senate disagreed to the amendment of the House to S. 1447, to improve aviation security, agreed to the House request for a conference thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hollings, Inouye, Rockefeller, Kerry, Breaux, Dorgan, Wyden, McCain, Stevens, Burns, Lott, Hutchison, and Snowe. Page S11510

Intelligence Authorization Agreement: A unanimous-consent agreement was reached providing for consideration of S. 1428, to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account of the Director of Central Intelligence, and the Central Intelligence Agency Retirement and Disability System, and certain amendments to be proposed thereto, at 10 a.m., on Thursday, November 8, 2001. Further,

that the bill be advanced to third reading, the Senate then proceed to H.R. 2883 (House companion measure), that all after the enacting clause be stricken, the text of S. 1428 as amended, if amended, be inserted in lieu thereof, that the House bill be read a third time, passed; that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

Page S11565

Nominations Received: Senate received the following nominations:

Rebecca W. Watson, of Montana, to be an Assistant Secretary of the Interior.

John V. Hanford III, of Virginia, to be Ambassador at Large for International Religious Freedom.

Franz S. Leichter, of New York, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2006.

Allan I. Mendelowitz, of Connecticut, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2007.

Dennis P. Walsh, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2004.

Pages S11565-66

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

W. Michael Cox, of Georgia, to be an Assistant Secretary of Labor, which was sent to the Senate on October 18, 2001. Page S11566

Messages From the House: Page \$11548

Measures Referred: Page \$11548

Additional Cosponsors: Page \$11549

Statements on Introduced Bills/Resolutions:

Pages S11550-62

Additional Statements: Page S11548

Amendments Submitted: Pages S11562-64

Authority for Committees to Meet: Page S11564

Record Votes: Four record votes were taken today. (Total—331)

Pages S11515, S11529, S11531, S11535

Adjournment: Senate met at 10 a.m., and adjourned at 5:51 p.m., until 10 a.m., on Thursday, November 8, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11565.)

## Committee Meetings

(Committees not listed did not meet)

#### **NEW FEDERAL FARM BILL**

Committee on Agriculture, Nutrition, and Forestry: Committee met and approved Title III (Trade) of S. 1628, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, and to ensure consumers abundant food and fiber.

Committee will meet again tomorrow.

#### **BUDGET AND EMERGENCY DEFICIT**

Committee on the Budget: Committee met and began consideration of S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, but did not take final action thereon, and recessed subject to call.

#### **NOMINATIONS**

Committee on Foreign Relations: Committee concluded hearings on the nominations of John Marshall, of Virginia, to be Assistant Administrator for Management, and the nomination of Constance Berry Newman, of Illinois, to be Assistant Administrator for Africa, both of the United States Agency for International Development, Cynthia Shepard Perry, of Texas, to be United States Director of the African Development Bank, Jose A. Fourquet, of New Jersey, to be United States Executive Director of the Inter-American Development Bank, and Jorge L. Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, after the nominees testified and answered questions in their own behalf. Mr. Marshall was introduced by Senators Allen and Hagel, Ms. Newman was introduced by Senator Stevens and District of Columbia Delegate Eleanor Holmes Norton, and Mr. Fourquet was introduced by Senators Torricelli and Corzine.

#### WPD PROLIFERATION

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services concluded hearings to examine current and future weapons of mass destruction proliferation threats, focusing on key policy instruments including

international treaties, multilateral export control arrangements, U.S. export controls, and security assistance to other countries, after receiving testimony from Joseph A. Christoff, Director, International Affairs and Trade, General Accounting Office; Michael L. Moodie, Chemical and Biological Arms Control Institute, Jonathon B. Tucker, Monterey Institute of International Studies, Rose Gottemoeller, Carnegie Endowment for International Peace, Richard T. Cupitt, Center for International Trade and Security, and James A. Lewis, Center for Strategic and International Studies, all of Washington, D.C.; and Gary Milhollin, University of Wisconsin Project on Nuclear Arms Control, Madison.

#### **NOMINATIONS**

Committee on the Judiciary: Committee concluded hearings on the nominations of Joe L. Heaton, to be United States District Judge for the Western District of Oklahoma, Clay D. Land, to be United States District Judge for the Middle District of Georgia, Frederick J. Martone, to be United States District Judge for the District of Arizona, Danny C. Reeves, to be United States District Judge for the Eastern District of Kentucky, Julie A. Robinson, to be United States District Judge for the District of Kansas, and James Edward Rogan, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent

and Trademark Office, after the nominees testified and answered questions in their own behalf. Mr. Heaton was introduced by Senators Nickles and Inhofe, Mr. Land was introduced by Senators Cleland and Miller, Mr. Martone was introduced by Senator Kyl, Mr. Reeves was introduced by Senators McConnell and Bunning, and Ms. Robinson was introduced by Senators Brownback and Roberts.

#### INTERNATIONAL AVIATION ALLIANCES

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights, and Competition concluded hearings to examine international aviation alliances, focusing on market turmoil and the future of airline competition, after receiving testimony from Donald J. Carty, American Airlines, Fort Worth, Texas; Leo F. Mullin, Delta Air Lines, Atlanta, Georgia; Richard Anderson, Northwest Airlines, Eagan, Minnesota; Richard Branson, Virgin Atlantic Airways Limited, West Sussex, England; Roger Maynard, British Airways, London, England; and Larry Kellner, Continental Airlines, Inc., Washington, D.C.

#### **INTELLIGENCE**

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

# House of Representatives

## Chamber Action

Measures Introduced: 12 public bills, H.R. 3240–32; and 6 resolutions, H.J. Res. 73; H. Con. Res. 264–265, and H. Res. 278, 280–281 were introduced.

Pages H7908–09

Reports Filed: Reports were filed today as follows: H. Res. 279, waiving points of order against the conference report on H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, (H. Rept. 107–273). Page H7908

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker pro tempore for today. Page H7855

Guest Chaplain: The prayer was offered by the Rev. Dr. John S. Reist, Jr., Professor of Christianity and

Literature, Hillsdale College, Hillsdale, Michigan and Pastor of Somerset Congregational Church of Somerset, Michigan.

Page H7855

Foreign Operations Appropriations—go to Conference: The House disagreed with the Senate amendment to H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and agreed to a conference. Appointed as conferees: Chairman Young of Florida and Representatives Kolbe, Callahan, Knollenberg, Kingston, Lewis of California, Wicker, Bonilla, Sununu, Obey, Lowey, Pelosi, Jackson of Illinois, Kilpatrick, and Rothman.

**Suspensions:** The House agreed to suspend the rules and pass the following measures that were debated on Nov. 6:

Radio Free Afghanistan: H.R. 2998, amended, to authorize the establishment of Radio Free Afghanistan (agreed to by a yea-and-nay vote of 405 yeas to 2 nays, Roll No. 429); Pages H7859-60

Nathaniel R. Jones and Frank J. Battisti Federal Building and United States Courthouse, Youngstown, Obio: H.R. 852, to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the "Nathaniel R. Jones and Frank J. Battisti Federal Building and United States Courthouse" (agreed to by a yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 430); and

Pages H7860-61

Preservation of Anti-Dumping and Countervailing Duty Laws: H. Con. Res. 262, expressing the sense of Congress that the President, at the WTO round of negotiations to be held at Doha, Qatar, from November 9–13, 2001, and at any subsequent round of negotiations, should preserve the ability of the United States to enforce rigorously its trade laws and should ensure that United States exports are not subject to the abusive use of trade laws by other countries (agreed to by a yea-and-nay vote of 410 yeas to 4 nays, Roll No. 432).

Committee Election: The House agreed to H. Res. 278, electing Representative Lynch to the Committees on Government Reform and Veterans' Affairs.

Page H7861

Gerald B. H. Solomon Freedom Consolidation Act: The House passed H.R. 3167, to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, by a yea-and-nay vote of 372 yeas to 46 nays, Roll No. 431. Pages H7865-77

Earlier, the House agreed to H. Res. 277, the rule that provided for consideration of the bill by voice vote.

Pages H7861-65

Recess: The House recessed at 1:55 p.m. and reconvened at 4:36 p.m. Page H7882

Commerce, Justice, State Appropriations—Motion to Instruct Conferees: Representative Rohrabacher gave notice of his intent to offer a motion to instruct conferees on H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, to insist on the language contained in Section 626 of the Housepassed bill and Section 623 of the Senate amendment, prohibiting the use of funds in the bill by the Justice Department or the State Department to file a motion in any court opposing a civil action against any Japanese person or corporation for compensation

or reparations in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or force labor. Page H7894

Senate messages: Messages received from the Senate appear on pages H7855, H7880–81, H7907–08.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages H7859–60, H7860–61, H7876–77, H7877. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:36 p.m.

## Committee Meetings

#### **ENSURING DOMESTIC SECURITY**

Committee on the Budget: Held a hearing on Ensuring Domestic Security: Issues and Potential Costs,. Testimony was heard from David M. Walker, Comptroller General, GAO; and the following members of the U.S. Commission on National Security/21st Century: former Speaker Newt Gingrich, State of Georgia; and former Representative Lee H. Hamilton, State of Indiana.

#### FTC—CHALLENGES FACING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Challenges Facing the Federal Trade Commission." Testimony was heard from Timothy J. Muris, Chairman, FTC.

## PHYSICAL SECURITY—NIH AND CDC FACILITIES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "HHS Inspector General's Review of Physical Security at NIH and CDC Facilities." Testimony was heard from the following officials of the Department of Health and Human Services: Janet Rehnquist, Inspector General; Virginia Bales, Deputy Director, Program Management, Centers for Disease Control and Prevention; and Stephen A. Ficca, Associate Director, Research Services, NIH.

#### TERRORISM RISK PROTECTION ACT

Committee on Financial Services: Ordered Reported, as amended, H.R. 3210.

#### DOD MEDICAL READINESS

Committee on Government Reform: Subcommittee on National Security, Veterans Affairs, and International Relations hearing on "Chemical and Biological Defense: DoD Medical Readiness." Testimony was heard from Nancy Kingsbury, Managing Director, Applied Research and Methods, GAO; and William

Winkenwerder, M.D., Assistant Secretary, Health Affairs, Department of Defense.

#### AFGHANISTAN'S FUTURE

Committee on International Relations: Held a hearing on the Future of Afghanistan. Testimony was heard from public witnesses.

### ANTI-HOAX TERRORISM ACT

Committee on the Judiciary: Subcommittee on Crime held a hearing on H.R. 3209, Anti-Hoax Terrorism Act of 2001. Testimony was heard from the following officials of the Department of Justice: James F. Jarboe, Section Chief, Counterterrorism Division, Domestic Terrorism, FBI; and James Reynolds, Chief, Terrorism and Violent Crime Section, Criminal Division.

#### MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported, as amended, the following bills: H.R. 2828, Klamath Basin Emergency Operation and Maintenance Refund Act of 2001; and H.R. 3208, to authorize funding through the Secretary of the Interior for the implementation of a comprehensive program in California to achieve increased water yield and environmental benefits, as well as improved water system reliability, water quality, water use efficiency, watershed management, water transfers, and levee protection..

#### OVERSIGHT

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the views and vision of the Under Secretary, Natural Resources and Environment, Department of the Interior. Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, Department of the Interior.

# CONFERENCE REPORT—VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Walsh and Mollohan.

#### SPACE STATION TASK FORCE REPORT

Committee on Science: Held a hearing on the Space Station Task Force Report. Testimony was heard from

Sean O'Keefe, Deputy Director, OMB; and a public witness.

#### MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 525, amended, Preparedness Against Domestic Terrorism Act of 2001; H.R. 2841, to designate the building located at 1 Federal Plaza in New York, New York the "James L. Watson United States Court of International Trade Building;" H.R. 2972, to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the "James A. McClure Federal Building and United States Courthouse;" H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse;" H.R. 2546, Real Interstate Driver Equity Act of 2001; H.R. 2776, to designate buildings 315, 318, and 319 located at the Federal Aviation Administration's William J. Hughes Technical Center in Atlantic City, New Jersey, as the "Frank R. Lautenberg Aviation Security Complex;" S. 378, to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center."

The Committee also approved miscellaneous public building resolutions.

#### RETIREMENT SECURITY ADVICE ACT

Committee on Ways and Means: Ordered reported, as amended, H.R. 2269, Retirement Security Advice Act of 2001.

## Joint Meetings

#### **AVIATION SECURITY**

Conferees met and began to resolve the differences between the Senate and House passed versions of S. 1447, to improve aviation security, but did not complete action thereon, and recessed subject to call.

#### **NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST, November 6, 2001, p. D 1106)

H.R. 182, to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System. Signed November 6, 2001. (Public Law 107–65)

#### COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 8, 2001

(Committee meetings are open unless otherwise indicated)

#### Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to mark up S. 1628, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, 10:30 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Treasury and General Government, to hold hearings to examine the financial conditions of the U.S. Postal Service, 10 a.m., SD–124.

Committee on Armed Services: to hold hearings on the nomination of R. L. Brownlee, of Virginia, to be Under Secretary of the Army; the nomination of Dale Klein, of Texas, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs; and the nomination of Peter B. Teets, of Maryland, to be Under Secretary of the Air Force, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of Conrad Lautenbacher, Jr., of Virginia, to be Under Secretary of Commerce for Oceans and Atmosphere, 2:30 p.m., SR–253.

Committee on Environment and Public Works: business meeting to consider pending calendar business, 2 p.m., SD-406.

Committee on Finance: business meeting to mark up the Economic Recovery and Assistance for American Workers Act of 2001, proposed as a substitute for H.R. 3090, to provide tax incentives for economic recovery, 2 p.m., SD–215.

Committee on Foreign Relations: to hold hearings on the nomination of Eric M. Javits, of New York, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament; the nomination of Christopher Bancroft Burnham, of Connecticut, to be Assistant Secretary of State for Resource Management; the nomination of Sichan Siv, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations; and the nomination of Richard S. Williamson, of Illinois, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, 10 a.m., SD-419.

Committee on the Judiciary: business meeting to consider S. 1630, to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted; S. 986, to allow media coverage of court proceedings; S. Res. 23, expressing the sense of the Senate that the President should award the Presidential Medal of

Freedom posthumously to Dr. Benjamin Elijah Mays in honor of his distinguished career as an educator, civil and human rights leader, and public theologian; the nomination of Terry L. Wooten, to be United States District Judge for the District of South Carolina; and the nomination of John P. Walters, of Michigan, to be Director of National Drug Control Policy, 10 a.m., SD–226.

#### House

Committee on Education and the Workforce, Subcommittee on Education Reform, hearing on Impact Aid: Ensuring All Children Receive a Quality Education, 10:30 a.m., 2175 Rayburn.

Committee on Government Reform, hearing on "The Status of Insurance Restitution for Holocaust Victims and Their Heirs," 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on "Intellectual Property Litigation," 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following measures: H.R. 1071, National Sea Grant College Program Authorization Enhancement Act; and the National Sea Grant College Program Act Amendments of 2001, 10 a.m., 1324 Longworth.

Committee on Science, hearing on the Decontamination of Anthrax and Other Biological Agents, 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Regulatory Reform and Oversight, hearing entitled "EPA Rulemaking: Do Bad Analyses Lead to Irrational Rules?" 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Sub-committee on Water Resources and Environment, oversight hearing on Right-to-Know after September 11, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on the Response by Charitable Organizations to the Recent Terrorist Attacks, 9:30 a.m., 1100 Longworth.

Subcommittee on Social Security and the Subcommittee on Oversight and Investigations of the Committee on Financial Services, joint hearing on preventing the identity theft by terrorists or criminals, 10 a.m., 2128 Rayburn.

#### Joint Meetings

Conference: meeting of conferees on H.R. 2330, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, 9:30 a.m., S–128, Capitol.

Conference: meeting of conferees on H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, 4 p.m., S–128, Capitol.

Next Meeting of the SENATE 10 a.m., Thursday, November 8

## 10 a.m., Thursday, November 8

#### Senate Chamber

Program for Thursday: Senate will begin consideration of S. 1428, Intelligence Authorization Bill.

#### House Chamber

Next Meeting of the HOUSE OF REPRESENTATIVES

Program for Thursday: Consideration of Motions to go to Conference on:

- (1) H.R. 3061, Labor, HHS, and Education Appropriations; and
- (2) H.R. 2944, District of Columbia Appropriations

Consideration of conference report on H.R. 2620, VA, HUD Appropriations (rule waiving points of order).

#### Extensions of Remarks, as inserted in this issue

#### HOUSE

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